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6
7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
9 SAN JOSE DIVISION

10
11 UNITED STATES OF AMERICA,) No. CR -12-00527- PSG
12)
Plaintiff,)
13)
v.) **STIPULATION TO CONTINUE THE**
14) **SENTENCING HEARING TO**
KATHLEEN BORKENHAGEN,) **DECEMBER 20, 2012; [~~PROPOSED~~]**
15) **ORDER**
Defendant.)
16 _____) HONORABLE PAUL S. GREWAL

17 **STIPULATION**
18

19 Defendant and the government, through their respective counsel, subject to the court's
20 approval, hereby stipulate that the Court continue the status hearing in the above-captioned
21 matter, presently scheduled for November 27, 2012, at 9:30 a.m., to December 20, 2012, at 10:30
22 a.m. The reason for the stipulation is as follows. Counsel for the defense is continuing his
23 investigation which includes but is not limited to obtaining and reviewing Tax records, financial
24 records, including profit and loss statements needed to assess the loss amount which is relevant
25 to negotiating a resolution of this matter. For these reasons, defense counsel needs additional
26 time to complete his investigation.

Stipulation to Continue Status Hearing;
~~Proposed~~ Order
No. -12-00527- PSG

1 The parties further agree and stipulate that the time from and including November 27,
2 2012, through and including December 20, 2012, should be excluded pursuant to Speedy Trial
3 Act, 18 U.S.C. §3161(h)(7)(A) and (B)(iv) to provide counsel reasonable time to prepare.
4 Accordingly, the United States and the defendant agree that granting the requested exclusion of
5 time will serve the interest of justice and outweigh the interest of the public and defendant in a
6 speedy trial.

7 Dated: November 26, 2012

8 _____/s/_____
MANUEL ARAUJO,
Assistant Federal Public Defender

10 Dated: November 26, 2012

11 _____/s/_____
Timothy J. Lucy,
Assistant United States Attorney

13 ~~[PROPOSED]~~ ORDER

14 Good cause appearing and by stipulation of the parties, it is hereby ordered that the
15 hearing in the above-captioned matter is continued from November 27, 2012, at 9:30 a.m., to
16 December 20, 2012, at 10:30. It is further ordered that the period of delay from November 27,
17 2012, through and including December 20, 2012, be excluded for purposes of Speedy Trial Act
18 computations pursuant to Title 18, United States Code, Sections 3161(h)(7)(A) and
19 3161(h)(7)(B)(iv).
20

21 Dated: November 26, 2012

22 
HONORABLE PAUL S. GREWAL,
United States Magistrate Judge

26 Stipulation to Continue Status Hearing;

~~Proposed~~ Order

No. -12-00527- PSG